

1 TEAL & MONTGOMERY
2 MICHAEL S. HENDERSON (Bar No. 175608)
3 815 Fifth Street, Suite 200
Santa Rosa, California 95404
3 Telephone: (707) 525-1212
Facsimile: (707) 544-1388
4

5 Attorneys for Plaintiff
SUSAN BEERMAN
6

7 SEDGWICK, DETERT, MORAN & ARNOLD LLP
REBECCA A. HULL (Bar No. 99802)
TARA L. RIEDLEY (Bar No. 236508)
8 One Market Plaza
Steuart Tower, 8th Floor
9 San Francisco, California 94105
Telephone: (415) 781-7900
10 Facsimile: (415) 781-2635
Email: rebecca.hull@sdma.com
tara.riedley@sdma.com

12 Attorneys for Defendants
GENENTECH, INC. and
13 GENENTECH INC. GROUP LONG
TERM DISABILITY BENEFIT PLAN
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15
16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18

19 SUSAN BEERMAN,

20 Plaintiff,

21 v.

22 GENENTECH, INC.; GENENTECH INC.
GROUP LONG TERM DISABILITY
BENEFIT PLAN; and DOES 1 through 50,
inclusive,

24 Defendants.
25

CASE NO. C 06-00827 MMC

STIPULATION AND [PROPOSED] ORDER
EXTENDING TIME TO COMPLETE
MEDIATION

26 WHEREAS, plaintiff Susan Beerman and defendants Genentech, Inc. and Genentech,
27 Inc. Group Long Term Disability Benefit Plan (collectively "the parties") were initially ordered
28 to complete mediation by August 10, 2006;

1 WHEREAS, the parties previously filed a stipulation with the Court requesting an
2 extension of time to complete mediation to December 1, 2006, on grounds that the parties dispute
3 the applicable standard of review to be applied in this action, which arises under the Employee
4 Retirement Income Security Act (“ERISA”), 29 U.S.C. section 1001 et seq., and believe that the
5 issue of which standard of review will be applied could materially effect the negotiating positions
6 of the parties and should be determined before the mediation;

7 WHEREAS, on July 24, 2006, the Court approved the stipulation and ordered that the
8 mediation deadline would be continued to December 1, 2006 and the deadline for plaintiff to file
9 a motion for ruling on the standard of review would be continued to October 15, 2006;

10 WHEREAS, plaintiff's motion for a ruling on the standard of review was filed
11 accordingly and has been fully briefed, but the Court has not yet issued a ruling;

12 WHEREAS, the matter has been assigned to mediator Jeffrey G. Lewis and the parties
13 (through counsel) are endeavoring to identify a mutually-available mediation date, but anticipate
14 that they will not be able to complete the mediation by the current deadline;

15 NOW, THEREFORE, the parties hereby stipulate to and mutually request that the Court
16 grant an extension of the deadline for completing the mediation to January 31, 2007.

17 Dated: November 29, 2006

TEAL & MONTGOMERY

/s/ Michael S. Henderson

Michael S. Henderson

Attorneys for Plaintiff, Susan Beerman

Dated: November 30, 2006

SEDGWICK DETERT MORAN & ARNOLD LLP

/s/ Tara L. Riedley

Tara L. Riedley

**Part 2. Attorney
Attorneys for Defendants, Genentech, Inc., and
Genentech, Inc. Group Long Term Disability
Benefit Plan**

IT IS SO ORDERED.

DATED: December 1, 2006

Hon. Maxine M. Chesney
United States District Judge